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A At that time I was a lifeguard at the local swimming pool for the summers. I then went to work at Harley-Davidson in Winona and attended

<p style="text-align: center;">5</p> <p>1 Minnesota Southeast Technical College for two</p> <p>2 years for gen eds. Then I went to Winona</p> <p>3 State, got my bachelor's degree in criminal</p> <p>4 justice, law enforcement. Then after that went</p> <p>5 to Jellystone Campground and I lived out there</p> <p>6 for a couple months when I went to police</p> <p>7 academy.</p> <p>8 Q What year was that?</p> <p>9 A 2015. And I worked out at Jellystone during</p> <p>10 that time. And then graduated from Academy.</p> <p>11 Got a job at Volk Field International Guard</p> <p>12 Base for security forces, civilian. And then</p> <p>13 went to, went and worked there for a little</p> <p>14 bit. Went to UW-L, La Crosse, police</p> <p>15 department for a little bit. Left there. Went</p> <p>16 back to Volk Field. Came to Monroe County.</p> <p>17 Worked here for a little over a year. Went</p> <p>18 back to Volk Field. And then promoted. And</p> <p>19 then started working at Dayton Freight and</p> <p>20 that's where I currently am.</p> <p>21 Q You said Volk Field?</p> <p>22 A Yes.</p> <p>23 Q How do you spell that?</p> <p>24 A V-O-L-K. It's in Camp Douglas.</p> <p>25 Q And what is that?</p>	<p style="text-align: center;">7</p> <p>1 that here because the court reporter can't take</p> <p>2 down two people talking at the same time.</p> <p>3 A Give her some time.</p> <p>4 Q That's right. Give her some time. Second rule</p> <p>5 is, we can't -- nods of the head, which you're</p> <p>6 giving me, which are fine in normal life, or</p> <p>7 uh-huh, uh-uh, they don't work for the court</p> <p>8 reporter, because she really can't take that</p> <p>9 down. It's really hard for her to record a</p> <p>10 gesture like that. And so instead, I ask you</p> <p>11 to say yes, no, and then you can say whatever</p> <p>12 you like after that, but just give a verbal</p> <p>13 response like that that's clear for the court</p> <p>14 reporter.</p> <p>15 A Okay.</p> <p>16 Q Does that make sense?</p> <p>17 A Yes.</p> <p>18 Q This isn't a memory test. I do not want you to</p> <p>19 be guessing or speculating. However, I am</p> <p>20 entitled to your best recollection and your</p> <p>21 best estimate. Does that make sense?</p> <p>22 A Yes.</p> <p>23 Q I will try to be as clear as I can in asking</p> <p>24 you questions.</p> <p>25 A Okay.</p>
<p style="text-align: center;">6</p> <p>1 A It's an International Guard base, like a</p> <p>2 training base.</p> <p>3 Q It's part of Camp Douglas?</p> <p>4 A Yeah. Camp Douglas is the town. Volk Field is</p> <p>5 the base there.</p> <p>6 Q Got it. I started us off and I forgot to give</p> <p>7 you all these admonitions that I usually do for</p> <p>8 depositions. We're sitting here in a room.</p> <p>9 But this -- you're under oath now and this is</p> <p>10 essentially -- we should treat it like we're at</p> <p>11 trial where there's a judge and a jury.</p> <p>12 A All right.</p> <p>13 Q So there's a few things that come with that.</p> <p>14 One is there's a court reporter here.</p> <p>15 A Yes. Sorry.</p> <p>16 Q Not at all. You're doing great. Have you ever</p> <p>17 testified in court before?</p> <p>18 A No, I have not.</p> <p>19 Q Have you ever testified at a deposition?</p> <p>20 A No.</p> <p>21 Q Okay. So the trick with a court reporter is it</p> <p>22 changes our conversation a little bit.</p> <p>23 Usually, you know, it's common for people to</p> <p>24 talk over each other a little, anticipating the</p> <p>25 answer, anticipating a question. We can't do</p>	<p style="text-align: center;">8</p> <p>1 Q If there is something that's confusing to you</p> <p>2 or you don't understand something, please let</p> <p>3 me know and I'll do my best to rephrase or</p> <p>4 clarify what I'm talking about. Does that make</p> <p>5 sense?</p> <p>6 A Yes.</p> <p>7 Q The flip side of that is, if you're answering a</p> <p>8 question, I'm going to assume you understand</p> <p>9 the question I'm asking.</p> <p>10 A Okay.</p> <p>11 Q Is that fair?</p> <p>12 A Yep.</p> <p>13 Q In terms of your recollection, you know, it's</p> <p>14 common during a deposition or in conversation</p> <p>15 that something jogs your memory, you may give</p> <p>16 an answer and say I don't know at one point or</p> <p>17 part of an answer, we're talking along and you</p> <p>18 may -- something may come to your mind that has</p> <p>19 to do with that question that you hadn't</p> <p>20 thought of before. If that ever happens, we</p> <p>21 can pause, whatever, go back and clarify that</p> <p>22 answer or fill it in, or what have you. Does</p> <p>23 that make sense?</p> <p>24 A Yes.</p> <p>25 MR. JONES: Of everything he just said</p>

<p style="text-align: right;">9</p> <p>1 to you, I've noticed already. Do your absolute</p> <p>2 best to wait until he's done asking the</p> <p>3 question until you begin to respond, okay?</p> <p>4 THE WITNESS: Okay.</p> <p>5 BY MR. WEIL:</p> <p>6 Q It's hard to do, what Mr. Jones just told you.</p> <p>7 We will break that rule, I'll guarantee you,</p> <p>8 but let's just both do our best, okay?</p> <p>9 A Understood.</p> <p>10 Q So I want to get a couple dates for the history</p> <p>11 that you just gave me. You said you were a</p> <p>12 lifeguard in the summers when you graduated</p> <p>13 from high school, is that right?</p> <p>14 A Yes.</p> <p>15 Q You received, I would imagine, some life saving</p> <p>16 training in that role?</p> <p>17 A Yeah. Pretty, pretty extensive training.</p> <p>18 Q And that training involved recognizing signs of</p> <p>19 someone who is having a hard time breathing or</p> <p>20 having a heart problem?</p> <p>21 A Basic, just basic life saving techniques.</p> <p>22 Like, if somebody was choking they would, you</p> <p>23 know, do that sign, or if they were having a</p> <p>24 heart attack, maybe they would be saying my</p> <p>25 chest hurts, or, just the basics.</p>	<p style="text-align: right;">11</p> <p>1 Q Um-hum.</p> <p>2 A Not that I recall.</p> <p>3 Q What did you do to prepare -- well, let me back</p> <p>4 up. Any other training that you had in life-</p> <p>5 saving at any of those other roles?</p> <p>6 A I've gone through quite a bit of training</p> <p>7 through Police Academy, uhm, but it's mainly</p> <p>8 just the same amount of training, just</p> <p>9 refreshers for the same type of training, but</p> <p>10 refreshers.</p> <p>11 Q So the same type of CFR, AED training and that</p> <p>12 kind of thing?</p> <p>13 A Yep.</p> <p>14 Q And that would have been in 2015?</p> <p>15 A Yes.</p> <p>16 Q And you received refreshers after that?</p> <p>17 A Not that I -- as pertaining to the jail or</p> <p>18 anywhere else, no, not that I recall.</p> <p>19 Q No training at the Monroe County Jail regarding</p> <p>20 CPR or AED?</p> <p>21 A Not that I can remember.</p> <p>22 Q Did you receive any training at the jail that</p> <p>23 you recall?</p> <p>24 A Yeah. We had, like, use of force training,</p> <p>25 POSC. There was, like, an Alzheimer's</p>
<p style="text-align: right;">10</p> <p>1 Q Was there an official training program you went</p> <p>2 through? Something at a local community</p> <p>3 college or anything like that?</p> <p>4 A We went through Red Cross for that job.</p> <p>5 Q Where was that?</p> <p>6 A That was held at the aquatic center itself, Bob</p> <p>7 Welch Aquatic Center.</p> <p>8 Q And the training involved, you said choking</p> <p>9 just now?</p> <p>10 A Yeah. CPR, AED, basic first aid and then</p> <p>11 water, water saving.</p> <p>12 Q Pulling people out of the water?</p> <p>13 A Yeah, drowning.</p> <p>14 Q So pulling them out and saving them once they</p> <p>15 are out?</p> <p>16 A Correct.</p> <p>17 Q And, in particular, CPR, AED?</p> <p>18 A Yes.</p> <p>19 Q And I know that you were involved in rescuing</p> <p>20 Ms. Boyer from the records that we have in this</p> <p>21 case. Were you ever involved in any rescue</p> <p>22 similar to that?</p> <p>23 A Probably just when I was -- as a lifeguard.</p> <p>24 Q Did you ever give CPR other than to Ms. Boyer?</p> <p>25 A Other than Ms. Boyer?</p>	<p style="text-align: right;">12</p> <p>1 awareness training, computer training. Uhm, we</p> <p>2 did yearly trainings. I don't remember exactly</p> <p>3 every training that we did, or -- mainly I can</p> <p>4 remember POSC and, like, restraint, doing the</p> <p>5 restraint chair kind of thing.</p> <p>6 MR. JONES: POSC is P-O-S-C?</p> <p>7 THE WITNESS: Yes.</p> <p>8 BY MR. WEIL:</p> <p>9 Q Remind me if you could, as I'm writing down</p> <p>10 fairly quickly your history. When did you</p> <p>11 become a guard at the Monroe County Jail?</p> <p>12 A I want to say 2019, I believe.</p> <p>13 Q About when in that year?</p> <p>14 A Earlier on in the year. I don't remember</p> <p>15 exactly.</p> <p>16 Q That's fine. You had been there for at least</p> <p>17 several months by the time of the Boyer</p> <p>18 incident?</p> <p>19 A Yeah, that's correct.</p> <p>20 Q And when did you leave Monroe County Jail?</p> <p>21 A 2000 -- early 2020.</p> <p>22 Q About how long after the Boyer incident did you</p> <p>23 leave the jail, would you estimate?</p> <p>24 A Let's see. Between two and four months.</p> <p>25 Q What did you do to prepare for your deposition</p>

<p style="text-align: right;">13</p> <p>1 today, Mr. Moga?</p> <p>2 A Just had predeposition with my lawyers and that</p> <p>3 was about it.</p> <p>4 Q Okay. So you met with your lawyers?</p> <p>5 A Yes.</p> <p>6 Q I'm not going to ask, and I don't want you to</p> <p>7 tell me anything, the substance of the</p> <p>8 conversation you had with your lawyers. Can</p> <p>9 you tell me when you met with them?</p> <p>10 A One, one time was when we first were going to</p> <p>11 schedule this deposition about a year ago. And</p> <p>12 then a few days ago.</p> <p>13 Q Meeting in person? Over the phone? Zoom?</p> <p>14 A First time it was in person. Actually, I think</p> <p>15 there might have been a second time over, over</p> <p>16 Zoom. And then this most recent time, so three</p> <p>17 times.</p> <p>18 Q Okay.</p> <p>19 A The third time was over video chat.</p> <p>20 Q Did you review any documents to prepare for</p> <p>21 your deposition today?</p> <p>22 A Yes.</p> <p>23 Q Can you tell me which ones you reviewed?</p> <p>24 A The Cell Check Log, my Supplemental Report, and</p> <p>25 the Master Control Log.</p>	<p style="text-align: right;">15</p> <p>1 A Correct.</p> <p>2 MR. JONES: Which exhibit did you say</p> <p>3 this was?</p> <p>4 MR. WEIL: This is 41.</p> <p>5 MR. JONES: Thank you.</p> <p>6 BY MR. WEIL:</p> <p>7 Q This report involves this event, this medical</p> <p>8 event with Christine Boyer, correct?</p> <p>9 A Correct.</p> <p>10 Q I'll ask you to set it aside in your mind. You</p> <p>11 can close it. I want to ask you if you have an</p> <p>12 independent recollection of that medical event.</p> <p>13 Setting aside what you reviewed, discussions</p> <p>14 with your lawyers, is this something in your</p> <p>15 mind you remember?</p> <p>16 A Yes. Yes.</p> <p>17 Q What can you tell me? Maybe we'll back up a</p> <p>18 little. You said you reviewed the Cell Check</p> <p>19 Log?</p> <p>20 A That's correct.</p> <p>21 Q Why don't we start with your presence in the</p> <p>22 jail on the day of the event? It's early</p> <p>23 morning hours of December 23rd, correct?</p> <p>24 A I believe so, yes.</p> <p>25 Q Can you tell me why -- what shift you were on</p>
<p style="text-align: right;">14</p> <p>1 Q Anything else?</p> <p>2 A I don't believe so.</p> <p>3 Q Any emails or correspondence you might have</p> <p>4 reviewed?</p> <p>5 A Oh, yes. There was an email that somebody had</p> <p>6 sent out about medication being dropped off by</p> <p>7 Mr. Boyer.</p> <p>8 Q Anything else?</p> <p>9 A No.</p> <p>10 Q Do you have an independent recollection of --</p> <p>11 well, let me back up. You talked about the</p> <p>12 Supplemental Report that you did. I'm going to</p> <p>13 hand you what's been previously marked as</p> <p>14 Exhibit 41.</p> <p>15 A Do you want me to look at all of the reports or</p> <p>16 just mine?</p> <p>17 Q My first question is just, is this the document</p> <p>18 you reviewed?</p> <p>19 A Not this one, no. I have reviewed just mine.</p> <p>20 Q Just your report?</p> <p>21 A Yes.</p> <p>22 MR. JONES: Last page.</p> <p>23 BY MR. WEIL:</p> <p>24 Q So the only report you reviewed was yours and</p> <p>25 not these other reports, is that right?</p>	<p style="text-align: right;">16</p> <p>1 at the jail at that time?</p> <p>2 A Typically I worked night shift, so six p.m. to</p> <p>3 six a.m.</p> <p>4 Q Okay. So that would have been six p.m. on the</p> <p>5 22nd to six a.m. on the 23rd?</p> <p>6 A Correct.</p> <p>7 Q And that was your shift, that time you were</p> <p>8 there?</p> <p>9 A It should have been, yeah. That's my normal</p> <p>10 hours.</p> <p>11 Q Do you have a recollection of what your routine</p> <p>12 was that day? What you did on the shift?</p> <p>13 A I was working housing or back in housing doing</p> <p>14 cell checks.</p> <p>15 Q Maybe I'll ask it a little bit more. Let's</p> <p>16 walk through the shift. You would get there at</p> <p>17 six p.m. Where do you go?</p> <p>18 A You would get your radio or keys or whatever</p> <p>19 you need in booking and you come in. You would</p> <p>20 go and get your radio from Master Control</p> <p>21 through the little slot and whatever keys you</p> <p>22 need and then you would walk back to housing.</p> <p>23 Q So you -- job starts. Pull into the parking</p> <p>24 lot. You walk into booking?</p> <p>25 A Correct. Or you walk into the sally port, then</p>

<p style="text-align: right;">17</p> <p>1 into the initial booking area and then the big</p> <p>2 booking area.</p> <p>3 Q Okay. So you walk into the booking area. You</p> <p>4 said you get a radio from the Master Control?</p> <p>5 A Yep.</p> <p>6 Q And then you walk into housing, is that right?</p> <p>7 A Yeah. Radio, keys, whatever else you may need</p> <p>8 and then you walk through booking down the long</p> <p>9 housing hallway and then up into housing</p> <p>10 control there.</p> <p>11 Q Were there specific assignments that you had on</p> <p>12 that shift in terms of where you were in the</p> <p>13 jail?</p> <p>14 A No. It could differ every day. Just whatever</p> <p>15 everybody wanted to do.</p> <p>16 Q How many folks were at the jail on any one</p> <p>17 shift?</p> <p>18 A Usually about four, because you needed somebody</p> <p>19 for Master Control, booking, and then at least</p> <p>20 two in housing, so five would have been ideal</p> <p>21 to have, but usually four to five.</p> <p>22 Q All right. And do you recall where you were</p> <p>23 after walking to booking, getting the radio</p> <p>24 from Master Control, where you spent that</p> <p>25 shift?</p>	<p style="text-align: right;">19</p> <p>1 A What's a milieu?</p> <p>2 Q Out in the pod?</p> <p>3 A Yeah, before 10:00 o'clock, yeah. They can</p> <p>4 kind of come and go as they please and then at</p> <p>5 10:00 o'clock they are in their cells, doors</p> <p>6 are locked. Other than the, like the -- what</p> <p>7 do they call it? The nonpod units where they</p> <p>8 are in the dorms. Then they are able to be</p> <p>9 free. They don't have to lock down anywhere.</p> <p>10 They can sleep or stay up.</p> <p>11 Q Okay. Do you recall, other than the event with</p> <p>12 Ms. Boyer, which sticks in your mind, is there</p> <p>13 anything else from that shift up to then that</p> <p>14 you remember, in particular?</p> <p>15 A Let's see. I remember -- are you talking about</p> <p>16 for that day?</p> <p>17 Q Yeah. That shift. So you get there at six.</p> <p>18 Between shift -- we'll get to the emergency of</p> <p>19 Ms. Boyer. From the --</p> <p>20 A Shift and the emergency.</p> <p>21 Q From the shift to the emergency, do you have</p> <p>22 any recollection of anything in particular?</p> <p>23 A Not that I can recall. I think it was just</p> <p>24 everything as usual.</p> <p>25 Q Just a normal night at the jail?</p>
<p style="text-align: right;">18</p> <p>1 A Housing.</p> <p>2 Q Were you there the entire time?</p> <p>3 A Other than.</p> <p>4 Q Leading up to Ms. Boyer's event. I understand</p> <p>5 that changed things, but leading up to the</p> <p>6 medical event she had?</p> <p>7 A Yes.</p> <p>8 Q What were you doing in housing during that</p> <p>9 time?</p> <p>10 A Just normal housing duties. I would do cell</p> <p>11 checks every hour. Get inmates things that</p> <p>12 they need. Fill out -- what are they called?</p> <p>13 Inmate Request Forms, or take them, or do mail,</p> <p>14 sort out mail and hand out mail, depending on</p> <p>15 if it was the day for that.</p> <p>16 Q I would imagine it's a bit more quiet much of</p> <p>17 the shift, just because folks are in bed?</p> <p>18 A Yeah. Usually after, I think 10:00 o'clock was</p> <p>19 the lockdown. And then after that everyone</p> <p>20 would settle in, at least in the pods.</p> <p>21 Q I broke the rule there. So they are in their</p> <p>22 pods. So before ten, folks are out in the</p> <p>23 milieu. Generally there might be some people</p> <p>24 in cells, but people are in the milieu and then</p> <p>25 at ten there's a lockdown?</p>	<p style="text-align: right;">20</p> <p>1 A Yeah. Nothing that sticks out.</p> <p>2 Q Do you recall any particular -- again, we're</p> <p>3 setting aside Ms. Boyer.</p> <p>4 A Yep.</p> <p>5 Q From the time you're called, we are setting</p> <p>6 that aside.</p> <p>7 A Yep.</p> <p>8 Q Before that, do you recall interacting with any</p> <p>9 particular employees at the jail, either</p> <p>10 medical or correctional staff?</p> <p>11 A Not that I can recall. I mean, other than just</p> <p>12 your normal interactions, just day to day.</p> <p>13 Q Do you recall an inmate named Danny Dake?</p> <p>14 A No, I do not.</p> <p>15 Q Do you recall someone receiving wound care at</p> <p>16 the time of the shift?</p> <p>17 A Danny Dake, no, I don't.</p> <p>18 Q Forgetting a name, do you recall anybody</p> <p>19 receiving special medical care during the</p> <p>20 shift?</p> <p>21 A Not that I can recall, no.</p> <p>22 Q Is there a place -- if someone were receiving</p> <p>23 special medical care, or, you know, they had</p> <p>24 wounds or something like that, is there a</p> <p>25 special place they would be housed in the jail?</p>

<p style="text-align: right;">21</p> <p>1 A They are kind of all over. There are some 2 inmates that had certain issues or medical 3 issues that they would come to the nursing 4 office and get their medical issue taken care 5 of and then be sent back to wherever they are, 6 wherever they are housed. 7 Q And then the other folks would be in booking, I 8 assume, if they had a medical issue? 9 A Yeah. If it was something that needed to be 10 closely, or closer looked at, yeah. 11 Q Were nurses out in the general population area 12 of the jail or were inmates brought to them? 13 A They were out in the general population if they 14 were doing med pass. 15 Q And that's when they were -- I'm sorry. Go 16 ahead. 17 A I'm sorry. Other than that, they were in their 18 -- in the nurse's office. 19 Q And where was the nurses's office in relation 20 to booking? 21 A Halfway in between booking and housing. 22 Q Do you recall seeing Amber Fennigkoh at any 23 point in that shift? 24 A I don't recall seeing her, but, I mean, she was 25 there usually for a little bit after our shift</p>	<p style="text-align: right;">23</p> <p>1 A Just down the hallway. 2 Q Okay. 3 A It's a decent amount of space to cover from 4 housing to booking, but it's nothing too crazy. 5 Q Sure. Give me an estimate. Just 20 feet? 6 Hundred feet? 7 A I would say between 50 and 100 feet. 8 Q And you got a call over the radio. The radio 9 that you had on you? 10 A Correct. 11 Q Approximately, and what were you told? 12 A I don't remember the exact wording, but it was 13 enough to have us respond from housing to 14 booking in an emergent manner. 15 Q You knew it was an emergency? 16 A Yeah. 17 Q Is there a code that's called, or anything like 18 that? 19 A No. A lot of plain talk. 20 Q And that was Danielle Warren calling you? 21 A Yes. 22 Q So you were -- I cut into your, what you were 23 narrating. Go ahead. 24 A We responded to booking to where Danielle was, 25 and I don't remember which booking cell, but</p>
<p style="text-align: right;">22</p> <p>1 had started. 2 Q Okay. 3 A For night shifts. 4 Q So you would typically overlap with her at some 5 point at the beginning of your shift? 6 A Yeah. 7 Q She would be essentially completing her shift 8 and you would be beginning yours? 9 A Correct. 10 Q Do you recall seeing her on Sunday the 22nd? 11 A No, I do not. 12 Q Let's talk about the medical event with Ms. 13 Boyer. What do you remember from -- when did 14 you learn about that event? 15 A I remember Sergeant Warren calling for 16 assistance. I think it was Jeff Schwanz, him 17 and I came down to booking. Danielle was in 18 her -- or, in Kristine's cell. 19 Q Let me slow you down just for a sec. Do you 20 remember where you were -- 21 A Oh. 22 Q -- when you got that call? 23 A Housing. 24 Q Do you remember how -- just any particular 25 spot? Did you have a long way to go?</p>	<p style="text-align: right;">24</p> <p>1 one closer to the main booking door from 2 housing. 3 I saw Christine on the floor, laying 4 on her back. Danielle was trying to -- was 5 saying her name. I don't remember if she was 6 shaking her or not. I pulled out my flashlight 7 and aimed it at Christine so I could get a 8 better view, because it's not really super 9 bright in there at night. And I saw that she 10 was gasping for air. She was discolored in the 11 face and her eyes were open. She was gasping 12 for air. 13 So I told Danielle to get an AED. I 14 radioed to Master to call 911. And then I 15 asked for a shears. Somebody brought me a 16 shears or scissors or something. I cut 17 Kristine's clothing off so that she was exposed 18 so that I could put AED pads on her. Started 19 CPR. Eventually the AED got there. I put the 20 AED on. 21 Sorry if I'm going too fast. 22 Put the AED on. Listened to the AED. 23 It said shock advised. I shocked her. We 24 pulled her out into the, the commons, booking, 25 so there was more room to work on her. By that</p>

<p style="text-align: right;">25</p> <p>1 time Alex Maas and Fritz Degner, they came to 2 help take the over CPR. Maas took over CPR. 3 Degner and I went back and forth on the bag 4 valve mask for her, to get air in her. And I 5 remember EMTs arrived. They took over care. 6 They did what they did. And then eventually 7 she got taken to the hospital from the 8 ambulance. 9 Q When you first saw Christine as you described, 10 did anything in your training indicate what 11 sort of problems she might be having? 12 A Nothing in my training, but just recognizing 13 that she wasn't -- that I could tell she wasn't 14 breathing. That she was gasping for air. It 15 just, it made me realize that there was an 16 emergency and that I needed to at least get an 17 AED on her to figure out if there was a heart 18 rhythm or something like that. And if she's 19 not breathing, that's going to tell me that she 20 needs CPR. 21 Q You report, in your report you note that her 22 face, you saw her facing turning purple? 23 A Purple, red. 24 Q Is that consistent with what you remember? 25 A Yeah, yep. Discolored.</p>	<p style="text-align: right;">27</p> <p>1 airway could stay open, while Fritz was running 2 the bag valve mask trying to get air in her. 3 Q Eventually the EMTs wheel her out? 4 A Yes. 5 Q Do you know -- the helicopter arrives at some 6 point, correct? 7 A I wasn't aware. 8 Q You didn't know one way or the other? 9 A Uh-uh. 10 Q The end of your report says, and feel free to 11 look at it. I'm on Exhibit 41. It says, after 12 paramedics left the jail, I followed up with 13 jail staff on shift to make sure everyone was 14 okay. Do you see that? 15 A Yep. 16 Q Can you tell me what you meant by that? 17 A So I just did like a small debrief, like a 18 quick debrief with everybody. I went around 19 and made sure that everybody was okay, because 20 I know Sergeant Warren was a little shook up 21 by the incident, so I checked in with her to 22 make sure she was doing okay. Checked in with 23 Jeff. And I don't know if I talked to Lucas or 24 not. I think he was in Master Control, but 25 everybody that was there for it, I tried to</p>
<p style="text-align: right;">26</p> <p>1 Q Did that have any indication to you, in light 2 of your training, life saving training, about 3 any problems she might be having? 4 A Just that she -- not any specific training that 5 I can remember that would tell me that that's 6 going to be because of -- or that her face is 7 discolored, so that means this. But just 8 knowing that she wasn't getting air and that 9 her face was turning color would indicate to me 10 that she's not, she's not getting air and she's 11 losing some kind of circulation. 12 Q You said eventually EMTs showed up? 13 A Yes. 14 Q Did you ever speak with any of them? 15 A Not that I recall. 16 Q Do you know, do you recall who might have 17 spoken with them? 18 A No, I don't. As soon as they took over, we, 19 or, I just kind of stepped back and let them 20 take over because they can give better care. 21 Q What happened when the EMTs showed up after 22 that? 23 A Such as? Or what do you mean? 24 Q What did you do? Or what were you doing? 25 A I was holding Cristine's head back so that her</p>	<p style="text-align: right;">28</p> <p>1 check each person, make sure that they were 2 doing okay. 3 Q Was everybody kind of shook up? 4 A I think a little bit. I think Sergeant Warren 5 was probably the most shook up. Emotional. 6 Q How so? 7 A She was crying and a little distraught, I 8 guess, or flustered. Distraught, I would say. 9 Q Do you remember anything she said? 10 A No, I don't. 11 Q You said you checked in with Jeff? 12 A Yeah. 13 Q And, I'm sorry, I'm forgetting everyone's 14 names. 15 A Jeff Schwanz. 16 Q Jeff Schwanz? 17 A Yep. 18 Q Jeff Schwanz was in housing with you, right? 19 A Yeah. 20 Q So you were two of the first people to respond? 21 A Yeah. Danielle and then him and I were the 22 only ones left in the jail other than Lucas in 23 Master Control, but he's not able to leave. 24 Q Do you remember how Jeff was doing? 25 A He seemed to be calm and collected, like he</p>

<p style="text-align: right;">29</p> <p>1 usually is.</p> <p>2 Q Did he say anything about how he felt?</p> <p>3 A Not that I recall, no.</p> <p>4 Q Anybody else to check in with?</p> <p>5 A No.</p> <p>6 Q How were you doing?</p> <p>7 A My adrenalin was pumping and I was definitely</p> <p>8 aware of the situation and everything going on,</p> <p>9 but I was calm and able to finish what I was</p> <p>10 doing.</p> <p>11 Q What happened after you do this check and the</p> <p>12 paramedics have left? What happens after that?</p> <p>13 A I remember talking with, or noticing all of the</p> <p>14 equipment on the floor and the cell being open</p> <p>15 and just saying, like, hey, we just need to,</p> <p>16 like, leave the stuff where it is right now. I</p> <p>17 think I told Sergeant Warren that.</p> <p>18 Q Why did you think that?</p> <p>19 A Just because it was a serious incident and I</p> <p>20 figured that, I didn't know how -- where</p> <p>21 everyone was with their thinking, because it</p> <p>22 was a big incident for the jail. And I just</p> <p>23 wanted to make sure everybody left everything</p> <p>24 until Stan or Ryan came in, or whoever was able</p> <p>25 to take over.</p>	<p style="text-align: right;">31</p> <p>1 A Sorry. If we work overtime, our shift works</p> <p>2 until ten a.m. It's like a four hour -- we</p> <p>3 just do, like, 16-hour shifts is the longest we</p> <p>4 would work over.</p> <p>5 Q Do you have any memory about anything that</p> <p>6 happened at the jail after the incident with</p> <p>7 Ms. Boyer that you've talked about so far?</p> <p>8 A No, I do not.</p> <p>9 Q You don't remember talking with anybody about</p> <p>10 that shift?</p> <p>11 A No.</p> <p>12 Q You don't remember speaking with Stan</p> <p>13 Hendrickson or Ryan Hallman?</p> <p>14 A Not that I recall, no.</p> <p>15 Q Anybody else you might have spoken with?</p> <p>16 A Not that I can think of.</p> <p>17 Q Do you see Amber Fennigkoh on that shift at any</p> <p>18 point?</p> <p>19 A After the incident until I left?</p> <p>20 Q We're just talking about this one shift, yes.</p> <p>21 A Oh, just the one shift. No, I don't recall.</p> <p>22 No, not during that shift, no.</p> <p>23 Q So the shift ends. I understand -- as you</p> <p>24 know, I've deposed Shasta.</p> <p>25 A Yep.</p>
<p style="text-align: right;">30</p> <p>1 Q After you did that, what happened?</p> <p>2 A I don't recall. I'm pretty sure everything was</p> <p>3 left there.</p> <p>4 Q And what did you do after that?</p> <p>5 A I don't recall.</p> <p>6 Q Did you return -- do you recall returning to</p> <p>7 housing at any point during that shift?</p> <p>8 A I don't recall, but I know that if something</p> <p>9 like that were to happen, like, we always go</p> <p>10 back to taking care of our job duties. We have</p> <p>11 to.</p> <p>12 Q Do you remember anybody -- you said Stan or</p> <p>13 Ryan. That's Stan Hendrickson and Ryan</p> <p>14 Hallman, is that right?</p> <p>15 A Correct.</p> <p>16 Q Do you remember any of them arriving at the</p> <p>17 jail at any point?</p> <p>18 A I don't remember, no.</p> <p>19 Q Do you remember talking with anybody else</p> <p>20 during that shift about what had happened?</p> <p>21 A I don't remember, no.</p> <p>22 Q Did your shift end at six a.m. as scheduled?</p> <p>23 A It should have. If it didn't, there might have</p> <p>24 been overlap or something like that.</p> <p>25 Q Go ahead.</p>	<p style="text-align: right;">32</p> <p>1 Q Now Shasta Moga.</p> <p>2 A Yep.</p> <p>3 Q Congratulations.</p> <p>4 A Thank you.</p> <p>5 Q As I understand it from the deposition, you two</p> <p>6 were not married at that time, correct?</p> <p>7 A Correct.</p> <p>8 Q But you were living in the same place?</p> <p>9 A Yeah, I believe so. I believe so, yeah.</p> <p>10 Q Do you remember speaking with her at all on the</p> <p>11 shift instead of calling home or anything like</p> <p>12 that?</p> <p>13 A Not that I can recall.</p> <p>14 Q After the shift ends, what's the next time that</p> <p>15 you have -- do you end up at the jail?</p> <p>16 A I don't remember. It should have been, I</p> <p>17 guess, my next scheduled date to work. I'm not</p> <p>18 sure.</p> <p>19 Q You filled out the report there on Exhibit 41.</p> <p>20 When were you informed that you should do that?</p> <p>21 A Usually we want to get it typed out as fast as</p> <p>22 or as soon as we can while the information is</p> <p>23 fresh in our minds. So I don't know an exact</p> <p>24 date or time, but.</p> <p>25 Q Where would you type this information out,</p>

<p style="text-align: right;">33</p> <p>1 physically? Where would you be doing that?</p> <p>2 A At one of the work computers.</p> <p>3 Q Is that in booking or somewhere else?</p> <p>4 A It could have been either, either housing or</p> <p>5 booking.</p> <p>6 Q So you would sit down at a computer and type</p> <p>7 this out?</p> <p>8 A Correct.</p> <p>9 Q Did anybody tell you that you should do that?</p> <p>10 A Not that I remember.</p> <p>11 Q There's, and how -- there's a -- if you look at</p> <p>12 the, your report, you know, it has a format</p> <p>13 here with Monroe County Sheriff's at the top.</p> <p>14 It has some information here at the bottom. Is</p> <p>15 that information, did you -- I guess the</p> <p>16 question is, what sort of form did you type</p> <p>17 this out on?</p> <p>18 A I'm not sure. I have no idea.</p> <p>19 Q Did you type out other reports than this one</p> <p>20 during your time at the Monroe County Jail?</p> <p>21 A Yeah, I have.</p> <p>22 Q Can you just tell me how that works? In terms</p> <p>23 of, do you have a computer with a little window</p> <p>24 you do typing stuff in? Is it a Word document</p> <p>25 that you sent to Buddy? Whatever it might be?</p>	<p style="text-align: right;">35</p> <p>1 to?</p> <p>2 A A case number.</p> <p>3 Q And what is a case number? What is that?</p> <p>4 A It's just a, a set of numbers and letters for a</p> <p>5 specific incident.</p> <p>6 Q So a specific incident that's being</p> <p>7 investigated will be assigned a case number?</p> <p>8 A I would think any, any incident would have a</p> <p>9 case number. So any time you need to write a</p> <p>10 report, there would be a case number for it.</p> <p>11 Q How did you know, or, I'm trying to connect</p> <p>12 your writing of the report with this case</p> <p>13 number. How did you know that there would be a</p> <p>14 case number, or did you know? How did that</p> <p>15 work?</p> <p>16 A Usually, like, our Sergeant would give us that</p> <p>17 information. If there was, if there was a</p> <p>18 case, if there was a report that needed to be</p> <p>19 written, they would let us know what the case</p> <p>20 number would be.</p> <p>21 Q Okay. So your Sergeant would say something to</p> <p>22 the effect of, we need you to write a report</p> <p>23 about X incident. Here is the case number for</p> <p>24 it?</p> <p>25 A I believe so.</p>
<p style="text-align: right;">34</p> <p>1 A I honestly, I can't even remember what we typed</p> <p>2 it on. I see that it's, like, got the heading</p> <p>3 and everything. I just, I can't remember if,</p> <p>4 at the jail, if we used a certain, like,</p> <p>5 software or application or something like that.</p> <p>6 I can't quite remember.</p> <p>7 Q And do you remember -- there's a time stamp</p> <p>8 here that I see. 12/27/19, 21:38. Do you see</p> <p>9 that?</p> <p>10 A Yes.</p> <p>11 Q And is that consistent with your recollection</p> <p>12 of when you typed this out?</p> <p>13 A Yeah, that would make sense. That would make</p> <p>14 sense, yeah. So it would be a few days after.</p> <p>15 Q Okay.</p> <p>16 A And 9:38 would have been -- if that's the date</p> <p>17 -- if I was working that shift, that day,</p> <p>18 that's congruent with, with the six a.m. to six</p> <p>19 p.m. when I would have been working.</p> <p>20 Q At the top again, in this sort of format</p> <p>21 section, above the report, do you see a -- it</p> <p>22 says, Case Scenario for SO-CR 192109. Do you</p> <p>23 see that?</p> <p>24 A Yep.</p> <p>25 Q Do you understand what that designation refers</p>	<p style="text-align: right;">36</p> <p>1 Q Is that the best you recall?</p> <p>2 A Yeah. I can't quite remember the specifics of</p> <p>3 how we did that.</p> <p>4 Q Do you remember who might have asked you to</p> <p>5 write this report?</p> <p>6 A I do not.</p> <p>7 Q Do you remember who would typically ask you to</p> <p>8 write a report like this?</p> <p>9 A Not specifically. I mean, it's possible too</p> <p>10 that I wrote it in a Word document and then put</p> <p>11 it in, or gave it, or submitted it to my</p> <p>12 Sergeant.</p> <p>13 Q Would you just do that of your own volition as</p> <p>14 in no one told you to write it. You just</p> <p>15 started writing a narrative of what happened?</p> <p>16 A Yeah.</p> <p>17 Q Well, was that a common practice for you?</p> <p>18 A If we're involved in an incident, yeah.</p> <p>19 Q Okay. If it was in a Word document, where</p> <p>20 would you have done that? Would you have done</p> <p>21 that at the jail?</p> <p>22 A Yeah.</p> <p>23 Q Would that Word document be saved somewhere?</p> <p>24 A I can't remember if it was, because we had a</p> <p>25 system -- I can't remember what it was called</p>

37	39
<p>1 -- that we would -- there would be a lot of,</p> <p>2 like, information for, like, inmates and stuff</p> <p>3 like that, and it was kind of like a catchall</p> <p>4 that you could upload, like, reports and other</p> <p>5 information to, so if that was there at that</p> <p>6 time, then that's -- I could have done that,</p> <p>7 written up a Word document and put it to that.</p> <p>8 Q Do you think that's what happened?</p> <p>9 A That's -- possibly.</p> <p>10 Q Do you recall anybody talking with you about</p> <p>11 this case, the case number that's reflected</p> <p>12 here?</p> <p>13 A I do not.</p> <p>14 Q Were you ever -- did you ever speak with Jeff</p> <p>15 Spencer?</p> <p>16 MR. JONES: About this incident?</p> <p>17 MR. WEIL: Yes.</p> <p>18 A Spencer?</p> <p>19 Q Let me back up. Do you know who Jeffrey</p> <p>20 Spencer is?</p> <p>21 A The name sounds familiar, but I can't -- I'm</p> <p>22 not sure who he is.</p> <p>23 Q Was there anybody who came to you in sort of an</p> <p>24 investigative capacity about the Boyer</p> <p>25 incident?</p>	<p>1 understood the severity of the incident. And</p> <p>2 also it was something that we all dealt with,</p> <p>3 so if we did talk about it, it was, hey, how</p> <p>4 are you doing? Are you doing okay, like,</p> <p>5 mentally, emotionally. It wasn't the specifics</p> <p>6 of the case or anything like that. It was more</p> <p>7 about personal well-being.</p> <p>8 Q I understand. So talking with the people who</p> <p>9 were there?</p> <p>10 A Yeah.</p> <p>11 Q And seeing how they are doing?</p> <p>12 A Yep.</p> <p>13 Q So those conversations continued after this</p> <p>14 shift that you were on?</p> <p>15 A If they did, that's the only thing I think that</p> <p>16 I would have talked about. I don't know for</p> <p>17 sure if it was talked about. I'm sure at some</p> <p>18 point it was talked about, whether it was with</p> <p>19 Danielle or Ryan or Stan, but I just don't</p> <p>20 remember the exact -- if -- I don't remember a</p> <p>21 time that it was talked about. Like a specific</p> <p>22 time, like they pulled me into their office to</p> <p>23 talk about it. I don't remember if that</p> <p>24 happened or not.</p> <p>25 Q Here's what I think you're saying, and you can</p>
38	40
<p>1 A Not that I recall.</p> <p>2 Q So no one -- you don't recall anybody</p> <p>3 interviewing you in any capacity about the</p> <p>4 Boyer incident?</p> <p>5 A No.</p> <p>6 Q You wrote this report about the Boyer incident.</p> <p>7 Did you have any other interaction with any</p> <p>8 supervisors or anybody like that sort of about</p> <p>9 the incident and what happened?</p> <p>10 MR. JONES: Objection to form. You</p> <p>11 can go ahead.</p> <p>12 A At some point, possibly, but I don't remember a</p> <p>13 specific sit-down conversation with anybody.</p> <p>14 Q Okay. Who was your supervisor at the jail?</p> <p>15 A A direct supervisor?</p> <p>16 Q Sure. Let's start there.</p> <p>17 A So Sergeant Warren.</p> <p>18 Q Danielle Warren?</p> <p>19 A Yep.</p> <p>20 Q Did you ever speak with her about this</p> <p>21 incident, other than we talked about right</p> <p>22 there at the time where you're making sure</p> <p>23 she's okay. Any other time?</p> <p>24 A Not that I can recall. It's not something that</p> <p>25 I really talked freely about, because I</p>	<p>1 correct me if I'm wrong. You remember there</p> <p>2 might have been general conversations about it</p> <p>3 after the shift in sort of an emotional</p> <p>4 capacity or the human capacity?</p> <p>5 A Yes.</p> <p>6 Q You're not sure exactly when those</p> <p>7 conversations occurred, is that fair?</p> <p>8 A Correct.</p> <p>9 Q And you may remember having those conversations</p> <p>10 with the folks that were there that night,</p> <p>11 right?</p> <p>12 A Correct.</p> <p>13 Q And then did you also have conversations like</p> <p>14 that with anybody else, like Stan Hendrickson</p> <p>15 or Ryan Hallman?</p> <p>16 A I can't, I can't remember if there was a time.</p> <p>17 I mean, it wouldn't be, it wouldn't be wild to</p> <p>18 have talked about them or talked with them</p> <p>19 about the incident, because they are also my</p> <p>20 supervisors, but I just don't remember a</p> <p>21 specific time.</p> <p>22 Q I would imagine your boss would want to know if</p> <p>23 you're doing okay?</p> <p>24 A Right. Right.</p> <p>25 Q Was that something that occurred?</p>

<p style="text-align: right;">41</p> <p>1 A Not that I, not that I recall.</p> <p>2 Q There was some correspondence a few days after</p> <p>3 that's been produced in the documents that have</p> <p>4 been gathered in this case, but a critical</p> <p>5 incident debrief, kind of a group meeting. Is</p> <p>6 that familiar to you at all?</p> <p>7 A Not that I can remember.</p> <p>8 Q Did you go to anything, any sort of a group</p> <p>9 meeting where this was discussed?</p> <p>10 A The only thing I talked about was with a</p> <p>11 chaplain from Monroe County.</p> <p>12 Q Did a chaplain come to the jail?</p> <p>13 A No.</p> <p>14 Q Okay. Where did you meet with the chaplain?</p> <p>15 A I met with the chaplain -- where was it? I</p> <p>16 think it was in the basement conference room of</p> <p>17 the, of the jail, but it was on my off time.</p> <p>18 Q Okay. Were you informed -- did you just happen</p> <p>19 across this chaplain or were you informed that</p> <p>20 the chaplain would be available?</p> <p>21 A We had -- I had a card from the chaplain in my</p> <p>22 wallet. And I remembered that we had a</p> <p>23 chaplain for Monroe County, so I contacted him</p> <p>24 to talk about how I was doing.</p> <p>25 Q You called up the chaplain --</p>	<p style="text-align: right;">43</p> <p>1 going on that I was stressing out about as</p> <p>2 well. And then this is, I mean, obviously this</p> <p>3 was a big situation for me. But, yeah, that</p> <p>4 seems -- it was definitely accurate.</p> <p>5 Q Okay. I want to direct you to the first email</p> <p>6 from Shasta, the one, well, let me back you up.</p> <p>7 It sounds also, like, I'm inferring from this,</p> <p>8 that you guys talked quite a bit about this, is</p> <p>9 that fair?</p> <p>10 A We didn't really talk about it outside of work</p> <p>11 or even at work. It was more so, she knew what</p> <p>12 I was going through. I mean, she was there for</p> <p>13 part of it. Well, not the emergency part, but</p> <p>14 at some point, I mean, we talked about how I</p> <p>15 was doing with everything. And she had heard,</p> <p>16 you know, from working at the jail too, what</p> <p>17 was going on, but we didn't really have much to</p> <p>18 say about it outside of work, because it wasn't</p> <p>19 something I wanted to sit and talk about. And</p> <p>20 she didn't push me to say -- push it on me</p> <p>21 either to talk about it.</p> <p>22 Q Shasta was -- you overlapped with Shasta during</p> <p>23 your shift, right? On the 22nd?</p> <p>24 A I believe so. I think that, that document that</p> <p>25 we went over said that I worked --</p>
<p style="text-align: right;">42</p> <p>1 A Yeah.</p> <p>2 Q -- and asked him to come in and talk about how</p> <p>3 you were doing?</p> <p>4 A Correct.</p> <p>5 Q Was this pretty hard on you?</p> <p>6 A Yes. I mean, at first, and it was kind of a</p> <p>7 sensitive time of the year. It was a high-</p> <p>8 stress situation, so I was -- it weighed on me.</p> <p>9 Q I'm going to show you a document. It's been</p> <p>10 marked as Exhibit 13 in this case. Take a</p> <p>11 minute to read. It's an email chain between</p> <p>12 Danielle Warren and Shasta and just take a</p> <p>13 minute to read it. And I have a couple</p> <p>14 questions for you. And you can tell me when</p> <p>15 you're ready, Mr. Moga.</p> <p>16 A Okay.</p> <p>17 Q Take your time.</p> <p>18 A Okay.</p> <p>19 Q There's two emails here where Shasta is</p> <p>20 describing how you were handling this.</p> <p>21 A Yeah.</p> <p>22 Q Do you think those are accurate, or pretty</p> <p>23 accurate reflections on how you were feeling?</p> <p>24 A Yeah. I don't -- so reading these, it sounds</p> <p>25 like there also might have been other things</p>	<p style="text-align: right;">44</p> <p>1 MR. JONES: Just answer his questions.</p> <p>2 THE WITNESS: Okay. Sorry. I'm a</p> <p>3 first-timer.</p> <p>4 BY MR. WEIL:</p> <p>5 Q That's okay. Do you remember Shasta talking to</p> <p>6 you about how, or her interactions with Ms.</p> <p>7 Boyer and what happened on her part of the</p> <p>8 shift?</p> <p>9 A I don't remember the specifics, no. Or if she</p> <p>10 did or not.</p> <p>11 Q Okay. Do you remember her talking about her</p> <p>12 trying to tend to Ms. Boyer's medical condition</p> <p>13 at all?</p> <p>14 A I believe I was there when she had called the</p> <p>15 doctor. I think I was standing at the door</p> <p>16 with Christine. Is that what you mean?</p> <p>17 Q Is that where you were when she called?</p> <p>18 A I believe I was standing at the door when she</p> <p>19 had to go make the phone call so that she</p> <p>20 wasn't just left by herself.</p> <p>21 Q Okay. So we've gone over your shift earlier?</p> <p>22 A Um-hum.</p> <p>23 Q Are you referring to when Shasta made a call to</p> <p>24 the doctor -- let me back up. Shasta left the</p> <p>25 jail hours before Ms. Boyer's medical incident,</p>

<p style="text-align: right;">45</p> <p>1 right?</p> <p>2 A Correct.</p> <p>3 Q And so what you're referring to is a call that</p> <p>4 she made several hours before the medical</p> <p>5 incident that we just talked about, correct?</p> <p>6 A Correct.</p> <p>7 Q I understood from what you told me earlier that</p> <p>8 you were in housing the whole time. It sounds</p> <p>9 like, now that we're getting some particulars,</p> <p>10 that maybe it was a point at which you weren't</p> <p>11 in housing?</p> <p>12 A Yes.</p> <p>13 Q Okay. Tell me about that.</p> <p>14 A So it's normal for inmates in housing to need</p> <p>15 something, whether it's a different pair of</p> <p>16 sandals or something out of their property that</p> <p>17 they are able to have, so we're the ones that</p> <p>18 go get it in the booking area, which was also</p> <p>19 where the property room is. So we kind of go</p> <p>20 back and forth.</p> <p>21 Q Okay. So if I understand you correctly, some</p> <p>22 inmate in housing wanted something from their</p> <p>23 property or was asking you for something from</p> <p>24 their property. You went to see about getting</p> <p>25 it?</p>	<p style="text-align: right;">47</p> <p>1 there. Shasta had to go call the doctor on a</p> <p>2 Protocol and then that's, that's all I</p> <p>3 remember.</p> <p>4 Q What's a Protocol?</p> <p>5 A So a Protocol is a medical form, and we had a</p> <p>6 list of them for a medical incident or if</p> <p>7 somebody is having something wrong, you decide</p> <p>8 which Protocol you need and then you follow the</p> <p>9 step-by-step actions to take and questions to</p> <p>10 ask on the Protocol and then that's how you</p> <p>11 navigate your way through it.</p> <p>12 Q So the Protocol had questions and actions to</p> <p>13 take if a detainee was suffering from a</p> <p>14 particular medical condition or appeared to be?</p> <p>15 A Correct.</p> <p>16 Q And you walk into the property room and you --</p> <p>17 you're walking into booking to get to the</p> <p>18 property room, is that right?</p> <p>19 A I don't know. I don't know why I was, what the</p> <p>20 specific reason why I was down there was, but</p> <p>21 if I was going to the property room, then, yes.</p> <p>22 If I was getting sandals, they were out in the</p> <p>23 initial booking area. Those were kind of the</p> <p>24 main places that you would go.</p> <p>25 Q Okay. And you walk into booking, and you see</p>
<p style="text-align: right;">46</p> <p>1 A Yeah. Yeah.</p> <p>2 Q Okay.</p> <p>3 A There's a proper channel of how to get it.</p> <p>4 Like a request form, stuff like that, but once</p> <p>5 that's all okay, like, we're the ones that go</p> <p>6 and retrieve it.</p> <p>7 Q In that event, tell me what you recall. It</p> <p>8 sounds like you had some sort of interaction</p> <p>9 with Ms. Boyer or Shasta at that time?</p> <p>10 A I don't remember exactly why I was down there,</p> <p>11 because we can float around quite a bit,</p> <p>12 especially since there's not always a lot of</p> <p>13 people, staff working. So whenever, if I was</p> <p>14 down there, then I would have helped out in the</p> <p>15 situation, if somebody needed an extra hand or</p> <p>16 something like that, like I would be able to</p> <p>17 kind of be floating around there.</p> <p>18 Q I understand. Do you recall being down there</p> <p>19 at some point during that evening?</p> <p>20 A At some point, yes.</p> <p>21 Q Tell me about it.</p> <p>22 A So I remember being in the doorway, sitting,</p> <p>23 or, standing there while Christine was sitting</p> <p>24 on her bed. And Shasta had gone. I don't</p> <p>25 remember how it started. I just remember being</p>	<p style="text-align: right;">48</p> <p>1 Shasta and Ms. Boyer, is that right?</p> <p>2 A I don't remember what initiated it or how I</p> <p>3 became helping out or how I started helping.</p> <p>4 Q What did you do to help?</p> <p>5 A Just, I stayed with Christine while Shasta went</p> <p>6 and did whatever she needed to do for the</p> <p>7 Protocol and I remember her having to call the</p> <p>8 doctor.</p> <p>9 Q Okay. So you walk in and just, again, best</p> <p>10 recollection here. Is Shasta in the middle of</p> <p>11 filling out a Protocol? Is she telling you, I</p> <p>12 need to fill out a Protocol? Help me out. Or</p> <p>13 how does that work?</p> <p>14 A I don't remember the specifics, other than her</p> <p>15 needing to leave to go call the doctor. And I</p> <p>16 just stayed with Christine to make sure that</p> <p>17 nothing else happened or so that somebody was</p> <p>18 there.</p> <p>19 Q Do you remember whether Christine was out of</p> <p>20 her cell or not when this happened?</p> <p>21 A I don't believe so. I think she was just</p> <p>22 sitting on her bed.</p> <p>23 Q Sitting on her bed inside of her cell?</p> <p>24 A Yeah.</p> <p>25 Q Did you go into the cell with her?</p>

<p style="text-align: right;">49</p> <p>1 A I stood by the door, in the doorway.</p> <p>2 Q And do you know where Shasta went to make the</p> <p>3 call?</p> <p>4 A Usually we would go to the nurse's office,</p> <p>5 because there's like a, I think there's a, like</p> <p>6 a little thing with -- they are numbered. The</p> <p>7 doctor's number is on it and that.</p> <p>8 Q So did Shasta leave booking entirely to do</p> <p>9 that?</p> <p>10 A Yes.</p> <p>11 Q There's a little, kind of a desk, as I</p> <p>12 understand it in booking where she could have</p> <p>13 made the call as well?</p> <p>14 A Yeah. There's a desk with some phones.</p> <p>15 Q But, to your knowledge, she didn't make the</p> <p>16 call there, is that right?</p> <p>17 A Not that I remember.</p> <p>18 Q Were you the only person in booking at that</p> <p>19 point?</p> <p>20 A I don't remember.</p> <p>21 Q How was Christine? Do you remember?</p> <p>22 A I think she was just quiet and just sitting</p> <p>23 there.</p> <p>24 Q Do you remember saying anything to her or her</p> <p>25 saying anything to you?</p>	<p style="text-align: right;">51</p> <p>1 you would need to call a doctor, we would have</p> <p>2 called the doctor based on the Protocol.</p> <p>3 Q And typically I would imagine -- the Protocols</p> <p>4 I would imagine are all over the jail so you</p> <p>5 have easy access, the guards have easy access,</p> <p>6 right?</p> <p>7 A Yeah. I think there was one in housing and one</p> <p>8 in booking.</p> <p>9 Q And is it something like a three-ring binder</p> <p>10 with a bunch of different Protocols in it?</p> <p>11 A Either that or folders or something like that.</p> <p>12 Q So when you walk in to booking for this errand</p> <p>13 that you were coincidentally there for, did</p> <p>14 Shasta say anything to you?</p> <p>15 A Not that -- I don't remember the specifics. I</p> <p>16 remember, obviously, having some communication</p> <p>17 with her, but I don't remember what was said.</p> <p>18 Q But words to the effect of, I need to fill out</p> <p>19 a Protocol. I need to take it to call the</p> <p>20 doctor or something along those lines?</p> <p>21 MR. JONES: Objection to form. You</p> <p>22 may answer.</p> <p>23 A Yeah. I would -- generally, yeah, I would</p> <p>24 assume that that's what she said.</p> <p>25 Q I'm just asking for what you remember.</p>
<p style="text-align: right;">50</p> <p>1 A No, I don't.</p> <p>2 Q How did she look?</p> <p>3 A I don't remember.</p> <p>4 Q Did she have -- do you remember her being</p> <p>5 hooked up to a blood pressure cuff at all?</p> <p>6 A Not that I remember.</p> <p>7 Q Any other -- sorry. I didn't mean to</p> <p>8 interrupt.</p> <p>9 A I was just going to say, if there would have</p> <p>10 been -- if she would have been acting in a way</p> <p>11 or saying anything in a way that would have</p> <p>12 caused an alarm, then I would have acted on</p> <p>13 that. Or I would have done whatever I felt was</p> <p>14 necessary for the Protocol, or at least radioed</p> <p>15 somebody.</p> <p>16 Q Okay. Did Shasta ever talk to you about that</p> <p>17 call with the doctor?</p> <p>18 A Not that I recall, no.</p> <p>19 Q Had Shasta -- did you see a form in Shasta's</p> <p>20 hand, like a Protocol in her hand when she went</p> <p>21 to see the doctor?</p> <p>22 A Not that I recall.</p> <p>23 Q You mentioned a Protocol earlier, so that's why</p> <p>24 I'm asking.</p> <p>25 A Yeah. If somebody is having an incident where</p>	<p style="text-align: right;">52</p> <p>1 A Yeah.</p> <p>2 Q I'm not trying to put words in your mouth.</p> <p>3 A Yeah.</p> <p>4 Q You tell me your best recollection.</p> <p>5 A I understand. I don't remember the</p> <p>6 conversation at all, just, but her and I being</p> <p>7 in there and her having to go call the doctor,</p> <p>8 there was, there was probably some</p> <p>9 communication there between us saying what's</p> <p>10 going on and why she's going to make a call to</p> <p>11 a doctor.</p> <p>12 Q Okay. So whatever specifics you said, you knew</p> <p>13 that she filled out a Protocol and was going to</p> <p>14 go call a doctor, is that right?</p> <p>15 A Yeah.</p> <p>16 Q Did you do any cell checks during that time?</p> <p>17 A Uhm, I can't remember.</p> <p>18 Q You told me that you looked at the Cell Check</p> <p>19 Log --</p> <p>20 A Yes.</p> <p>21 Q -- to prepare for this deposition?</p> <p>22 A Yep.</p> <p>23 Q Did you see your entry anywhere on that log?</p> <p>24 A Yes, I did.</p> <p>25 Q Where was it, do you remember?</p>

<p style="text-align: right;">53</p> <p>1 A I don't remember the exact time and day, but I</p> <p>2 know I put down phone. She was using the phone</p> <p>3 for a couple of the cell checks that I did.</p> <p>4 Q And by her, you mean Christine Boyer?</p> <p>5 A Christine Boyer, yes.</p> <p>6 Q What was your number for the Cell Check Log?</p> <p>7 A 1265 or 65.</p> <p>8 Q Sixty-five. Okay. I see -- I can flip this</p> <p>9 around and show you that I see one entry for 65</p> <p>10 around 8:39 p.m. Is that what you remember?</p> <p>11 A I don't remember the specific time.</p> <p>12 Q I'll show it to you real quickly.</p> <p>13 MR. WEIL: Any objection to me just</p> <p>14 flipping this around?</p> <p>15 BY MR. WEIL:</p> <p>16 Q So this is Exhibit 8. That's the Cell Check</p> <p>17 Log there. You can scroll up and down really</p> <p>18 quickly, Mr. Moga, and just tell me if you see</p> <p>19 your number anywhere else? That number 65.</p> <p>20 MR. JONES: Actually, you know what?</p> <p>21 Here.</p> <p>22 A I'm on there twice for a phone call at 17:54</p> <p>23 and 18:20 for phone. And then one other time,</p> <p>24 for 8:39 a.m. And I put two for alert and</p> <p>25 quiet.</p>	<p style="text-align: right;">55</p> <p>1 Q Well, do you remember anything about being in</p> <p>2 booking? Ms. Boyer came in -- I'll represent</p> <p>3 to you she came in on the evening of the 21st,</p> <p>4 so Saturday the 21st.</p> <p>5 A Okay.</p> <p>6 Q Do you have any memory of that occurring?</p> <p>7 A No, I do not.</p> <p>8 Q Okay. Would you expect that you would be</p> <p>9 working in housing -- well, do you have any</p> <p>10 memory at all of that previous shift?</p> <p>11 A Not really, no. Nothing that I can think of.</p> <p>12 Q If you had been assigned in booking, would you</p> <p>13 expect to see your name here doing cell checks?</p> <p>14 A Yes.</p> <p>15 Q Does that, the lack of your name, generally</p> <p>16 indicate to you that you were assigned to</p> <p>17 housing?</p> <p>18 A Housing or Master Control.</p> <p>19 Q Do you remember being assigned to Master</p> <p>20 Control that shift?</p> <p>21 A I don't recall, but if I'm not on the booking</p> <p>22 list, if I'm not the main person doing the</p> <p>23 booking checks, then I was either in housing or</p> <p>24 Master Control.</p> <p>25 Q Do you know why you would show up one time at</p>
<p style="text-align: right;">54</p> <p>1 Q Thank you. So the 8:39 entry, is that the</p> <p>2 morning before? I can show it to you again.</p> <p>3 A Yeah, if you could.</p> <p>4 Q Yeah.</p> <p>5 A Let me try to orient myself really quickly.</p> <p>6 MR. KNOTT: I think I might have a</p> <p>7 copy.</p> <p>8 MR. WEIL: Thank you, Doug.</p> <p>9 A Yeah, so that's the morning before.</p> <p>10 Q So that's the morning of Sunday the 22nd?</p> <p>11 A Yes.</p> <p>12 Q Okay.</p> <p>13 A She came in on the 21st. Then it goes to the</p> <p>14 morning of the 22nd, yes.</p> <p>15 Q What was your shift the morning before? Was it</p> <p>16 the same shift and you worked a couple hours</p> <p>17 over, essentially?</p> <p>18 A Yeah. Yeah. It's not uncommon if somebody is</p> <p>19 running late or just needing to fill in to work</p> <p>20 between that six a.m. and ten a.m., but I</p> <p>21 should have worked from six p.m. to six a.m.</p> <p>22 Q If you were working six p.m. to six a.m. on</p> <p>23 that shift did you have anything to do with</p> <p>24 booking on that shift?</p> <p>25 A Not that I remember.</p>	<p style="text-align: right;">56</p> <p>1 8:39 a.m. on the log if you were assigned to</p> <p>2 housing that shift?</p> <p>3 A I may have came down to -- like I did in the</p> <p>4 following day, or whenever.</p> <p>5 Q The following shift?</p> <p>6 A Yes. I could have left housing to grab</p> <p>7 something for somebody or just been floating.</p> <p>8 Q Would it be common to, say, fill in while</p> <p>9 someone takes a bathroom break, that kind of</p> <p>10 thing?</p> <p>11 A Yeah.</p> <p>12 Q And the sequence like this, just looking at</p> <p>13 this, would it indicate some sort of random</p> <p>14 assignment like that where you would show up,</p> <p>15 lend a hand and go back to your previous post?</p> <p>16 A Yeah. That could be. I mean, at any point</p> <p>17 too, if someone didn't want to work in housing</p> <p>18 anymore and wanted to work booking and vice</p> <p>19 versa, we could switch. We weren't locked into</p> <p>20 a certain post for the whole night.</p> <p>21 Q But if that had occurred here, you would have a</p> <p>22 bunch of entries after that with 65, right?</p> <p>23 A Yeah, right. Correct.</p> <p>24 Q Then flip it over. The next day looks like</p> <p>25 you're there at 17:54, correct?</p>

<p style="text-align: right;">57</p> <p>1 A Yep.</p> <p>2 Q So that would be right as your shift begins,</p> <p>3 I'm assuming, if I understand things correctly?</p> <p>4 A Correct.</p> <p>5 Q When it says phone, what does that mean?</p> <p>6 A She was using the phone.</p> <p>7 Q Do you have any recollection of that?</p> <p>8 A I do not.</p> <p>9 Q Okay. So this is, apart from, we talked about</p> <p>10 your interaction a moment ago with Shasta</p> <p>11 filling out the Protocol?</p> <p>12 A Yes.</p> <p>13 Q This is a different time, right?</p> <p>14 A So this is the evening of the 22nd, right.</p> <p>15 Q So this first entry at 17:54, and then it looks</p> <p>16 like 18:20, so that's 5:54 p.m. and 6:20 p.m.,</p> <p>17 right?</p> <p>18 A Correct.</p> <p>19 Q And both times Ms. Boyer is on the phone and</p> <p>20 that's what you're recording?</p> <p>21 A That's, yeah, that's what this states.</p> <p>22 Q Okay. Do you have any recollection of this at</p> <p>23 all? Reading this now?</p> <p>24 A I do not.</p> <p>25 Q Do you recall Ms. Boyer being on the phone at</p>	<p style="text-align: right;">59</p> <p>1 helping out. But I don't see 65 on these cell</p> <p>2 checks. Does that make sense to you?</p> <p>3 A Yeah.</p> <p>4 MR. JONES: Objection to form. Go</p> <p>5 ahead.</p> <p>6 BY MR. WEIL:</p> <p>7 Q Can you explain?</p> <p>8 A Just usually only needed one person to do a --</p> <p>9 to log the cell check.</p> <p>10 Q So even though she eventually, as I understand</p> <p>11 it, went away from booking, as you recall, to</p> <p>12 call in the Protocol, it doesn't reflect</p> <p>13 somebody else making entries here, is that</p> <p>14 right?</p> <p>15 MR. JONES: Objection to form. You</p> <p>16 can answer.</p> <p>17 A Can you repeat it?</p> <p>18 Q Sure. I'm looking at the logs from 19:26 to</p> <p>19 20:25. It looks like Shasta has entered Chest</p> <p>20 Pain Protocol, right?</p> <p>21 A Correct.</p> <p>22 Q And what you're telling me is that when she</p> <p>23 completed the Protocol, you happened to be</p> <p>24 there. She left to go make the call that you</p> <p>25 would make to the provider, right?</p>
<p style="text-align: right;">58</p> <p>1 any time, seeing her on the phone?</p> <p>2 A No.</p> <p>3 Q Or hearing her talking on the phone?</p> <p>4 A I do not recall. There was two options to use</p> <p>5 a phone. There's a phone on the wall and</p> <p>6 there's a rollable, like a mobile-type phone</p> <p>7 she could have used at her cell as well.</p> <p>8 Q Can you tell from this observation log which</p> <p>9 type of call that is?</p> <p>10 A No, I cannot.</p> <p>11 Q Okay. And nothing in this document jogs your</p> <p>12 memory at all about this check around six p.m.</p> <p>13 on the evening of the 22nd, is that right?</p> <p>14 A That's correct. I don't remember.</p> <p>15 Q I'm looking at the log. Who is 88?</p> <p>16 A Shasta.</p> <p>17 Q Okay. That was Shasta?</p> <p>18 A Um-hum.</p> <p>19 Q And it indicates that she's doing a Chest Pain</p> <p>20 Protocol for quite a bit of it. Do you see</p> <p>21 that?</p> <p>22 A Yes.</p> <p>23 Q How does that work in terms of you making</p> <p>24 entries here? I understood that you were, you</p> <p>25 came in to help out at some point or ended up</p>	<p style="text-align: right;">60</p> <p>1 A Right.</p> <p>2 Q And then it looks like there's another entry by</p> <p>3 her at 20:39 and would that be consistent with</p> <p>4 when she returned, in your memory?</p> <p>5 MR. JONES: Objection to form.</p> <p>6 A She -- I don't remember how long it took her to</p> <p>7 make the phone call, but these -- each time</p> <p>8 you're doing a cell check, it's, there's a</p> <p>9 certain amount of time that you need to check</p> <p>10 everybody in booking before you log the cell</p> <p>11 check.</p> <p>12 So, from what I remember, I was there</p> <p>13 long enough to let her relieve that spot in the</p> <p>14 amount of time to make a phone call to get back</p> <p>15 and also do all of the cell checks or all of</p> <p>16 the booking checks.</p> <p>17 Q Okay. That's all we have with that document.</p> <p>18 Now, the instruction, one of the instructions</p> <p>19 Shasta was given that the document reflects is</p> <p>20 to provide Ms. Boyer with aspirin.</p> <p>21 A Okay.</p> <p>22 Q Where would someone get aspirin? A guard get</p> <p>23 aspirin after receiving an instruction like</p> <p>24 that?</p> <p>25 A From the nurse's office.</p>

<p style="text-align: right;">61</p> <p>1 Q Okay.</p> <p>2 A In between booking and housing.</p> <p>3 Q Do you remember Shasta coming back with aspirin</p> <p>4 or anything? Any sort of medication in her</p> <p>5 hands?</p> <p>6 A I don't recall.</p> <p>7 Q Eventually, obviously she returns, correct?</p> <p>8 A Yes.</p> <p>9 Q And what happened after that?</p> <p>10 A I don't recall.</p> <p>11 Q Did you essentially -- you're back. I'm going</p> <p>12 to go back to my task, or did you stick around</p> <p>13 at all, or?</p> <p>14 A I don't remember specifics.</p> <p>15 Q Do you remember Ms. Boyer saying anything to</p> <p>16 Shasta at any point?</p> <p>17 A No, I do not.</p> <p>18 Q And you don't remember Ms. Boyer saying</p> <p>19 anything to you, correct?</p> <p>20 A That's correct.</p> <p>21 Q What's the name of the chaplain who you spoke</p> <p>22 with?</p> <p>23 A I might have the card in my wallet.</p> <p>24 Q Take a look.</p> <p>25 A I can't remember if I still do or not. Jeff</p>	<p style="text-align: right;">63</p> <p>1 this is the first time I've seen this.</p> <p>2 Q Of course.</p> <p>3 A I'm not sure what this.</p> <p>4 Q I'm trying to anchor us to something that it</p> <p>5 appears that she was thinking about. That's</p> <p>6 all.</p> <p>7 A Right.</p> <p>8 Q I'm asking you if this jogs your recollection</p> <p>9 to anything that Shasta and you talked about</p> <p>10 after the event?</p> <p>11 A Yeah.</p> <p>12 MR. JONES: And what's the question?</p> <p>13 BY MR. WEIL:</p> <p>14 Q So do you remember her talking about, do you</p> <p>15 remember Shasta talking about trying to make</p> <p>16 sure she did everything right for Ms. Boyer?</p> <p>17 A I don't remember a specific conversation, no.</p> <p>18 Or that we even talked about it.</p> <p>19 Q Okay. It says, the next, after I lost it, the</p> <p>20 next sentence says, I went through everything</p> <p>21 in my head, like, 20 times trying to make sure</p> <p>22 I did everything Lisa told me.</p> <p>23 Again, you're not on this email. The</p> <p>24 question is just, does that jog your</p> <p>25 recollection at all about the things that</p>
<p style="text-align: right;">62</p> <p>1 Skinner.</p> <p>2 Q Does the card list a denomination?</p> <p>3 A It says chaplain.</p> <p>4 Q Okay. Do you remember, in conversations after</p> <p>5 this event, talking with Shasta and her saying</p> <p>6 that she did everything -- she was trying to</p> <p>7 make sure she did everything she was supposed</p> <p>8 to do with respect to caring for Ms. Boyer?</p> <p>9 A Like during or just in general?</p> <p>10 Q I'll just refer you to this email. Shasta</p> <p>11 writes to Danielle Warren, at about three p.m.</p> <p>12 on the 26th. She says, no problem. I'm doing</p> <p>13 the best I can. I just had this weird feeling</p> <p>14 I needed to call the jail at that exact moment.</p> <p>15 I wanted to see if I had done everything I was</p> <p>16 supposed to. When Lucas told me you guys had</p> <p>17 the AED hooked up to her, I lost it. Do you</p> <p>18 see that?</p> <p>19 A Yeah.</p> <p>20 Q Do you remember conversations about, with</p> <p>21 Shasta at any point thereafter about her</p> <p>22 wondering or asking or trying to assure herself</p> <p>23 that she had done everything she was supposed</p> <p>24 to do for Ms. Boyer?</p> <p>25 A No, I don't. I'm also not really sure what --</p>	<p style="text-align: right;">64</p> <p>1 Shasta was concerned about after Ms. Boyer</p> <p>2 passed.</p> <p>3 A No, it doesn't.</p> <p>4 Q Do you remember having conversations with</p> <p>5 Shasta along these lines of her trying to</p> <p>6 assure herself that she did everything that</p> <p>7 Lisa had told her to?</p> <p>8 A No, I don't recall.</p> <p>9 Q Do you know who Lisa is?</p> <p>10 A The jail doctor.</p> <p>11 Q Well, did you ever interact with Lisa?</p> <p>12 A I think there had been some Protocols that I</p> <p>13 had done throughout my time at the jail that I</p> <p>14 had called her for. Which was, like, in the</p> <p>15 middle of the night, so it was pretty much the</p> <p>16 only interactions I've had with her.</p> <p>17 Q Anything you recall about the substance of the</p> <p>18 conversations with her when you filled out</p> <p>19 those Protocols?</p> <p>20 MR. JONES: Conversations with Lisa?</p> <p>21 MR. WEIL: Yeah.</p> <p>22 A Just whatever I was doing the Protocol on. I</p> <p>23 mean, when I did those Protocols. And if I</p> <p>24 even talked to the doctor, if I needed to, I</p> <p>25 was very robotic with the questions that were</p>

<p style="text-align: right;">65</p> <p>1 on, that were needing to be asked.</p> <p>2 Q Okay. So the Protocol involves filling out</p> <p>3 information and then transmitting it?</p> <p>4 A Correct.</p> <p>5 Q Were you -- you have some medical training, but</p> <p>6 you're not a medical professional, correct?</p> <p>7 A Correct.</p> <p>8 Q Were you careful to fill out those Protocols</p> <p>9 every time?</p> <p>10 A Yeah, to the best of my ability.</p> <p>11 Q And then careful to transmit all the</p> <p>12 information on those Protocols to Lisa or</p> <p>13 whoever was on the other end of the phone?</p> <p>14 A That's correct.</p> <p>15 Q Are you familiar with Shasta filling out</p> <p>16 Protocols like that?</p> <p>17 A No. You mean, like, am I -- do I know how she</p> <p>18 does them?</p> <p>19 Q Did you ever talk about filling one out with</p> <p>20 her?</p> <p>21 A No.</p> <p>22 Q Was she careful about how she filled them out,</p> <p>23 if you know?</p> <p>24 A I don't know how she fills them out, but we've</p> <p>25 all been trained the same, to get as much</p>	<p style="text-align: right;">67</p> <p>1 relaying the information to Lisa Pisney?</p> <p>2 A Not usually.</p> <p>3 Q Did you ever hear Lisa, or, I'm sorry, Shasta</p> <p>4 relaying information to the outside</p> <p>5 practitioner?</p> <p>6 A Like hear her myself?</p> <p>7 Q Yes.</p> <p>8 A No.</p> <p>9 Q And, again, this is not jogging your memory in</p> <p>10 terms of your conversations with Shasta? This</p> <p>11 email on Exhibit 13 about her concern about</p> <p>12 relaying information to Ms. Pisney carefully?</p> <p>13 MR. JONES: Objection to form.</p> <p>14 A No, it does not.</p> <p>15 Q Do you recall her generally being concerned</p> <p>16 about, without focussing on any words, that she</p> <p>17 had done everything right that evening with</p> <p>18 regard to Ms. Boyer?</p> <p>19 A I would think so. She's been in her position</p> <p>20 for a long time, so I think that she did the</p> <p>21 best that she could to her ability.</p> <p>22 Q Does she strike you as a careful person?</p> <p>23 A Yes.</p> <p>24 Q Eventually, you said a few months after Ms.</p> <p>25 Boyer's incident you left the jail?</p>
<p style="text-align: right;">66</p> <p>1 information as you can and fill them out to the</p> <p>2 best of your ability, because then you're the</p> <p>3 one that is relaying the information that's</p> <p>4 happening to the person that can provide more</p> <p>5 care.</p> <p>6 Q Did it strike you that she was a careful person</p> <p>7 about doing that? Conscientious?</p> <p>8 MR. JONES: Objection to form. You</p> <p>9 can answer.</p> <p>10 A I would say that she was as reasonable as every</p> <p>11 other officer that has had to do a Protocol.</p> <p>12 Q And you were all trained to relay that</p> <p>13 information?</p> <p>14 A Correct.</p> <p>15 Q Okay. In your experience, were other officers</p> <p>16 careful to relay that information as well in</p> <p>17 Protocols?</p> <p>18 MR. JONES: Objection to form,</p> <p>19 foundation. You can go ahead.</p> <p>20 A I don't know how, necessarily, every other</p> <p>21 officer filled out their Protocols, but --</p> <p>22 because they are pretty -- the Protocols are</p> <p>23 pretty straightforward. So I would say that</p> <p>24 everyone else fills them out the same.</p> <p>25 Q Okay. Did you ever actually hear officers</p>	<p style="text-align: right;">68</p> <p>1 A Correct.</p> <p>2 Q And you -- was this, was the jail your only --</p> <p>3 the only time you worked in corrections?</p> <p>4 A Yes.</p> <p>5 Q Why did you go into the corrections field?</p> <p>6 A It was a little bit higher pay and it was a</p> <p>7 different avenue of law enforcement that I was</p> <p>8 interested in.</p> <p>9 Q Okay. Before you had been working security at</p> <p>10 Volk Field, I think, is that right?</p> <p>11 A Yeah.</p> <p>12 Q And then after you left the jail, you told me,</p> <p>13 but I'm trying to remember, what did you do?</p> <p>14 A Then I went, I went back to Volk Field.</p> <p>15 Q Okay. Did you take a pay cut?</p> <p>16 A I think it was a slight pay cut, but it was</p> <p>17 better hours and better shift.</p> <p>18 Q So you went into jail because -- corrections</p> <p>19 because it was a different kind of law</p> <p>20 enforcement, you said?</p> <p>21 A Yes.</p> <p>22 Q And it paid better?</p> <p>23 A And it paid slightly better, yeah. I was able</p> <p>24 to broaden my scope of practice, I guess you</p> <p>25 would say.</p>

<p style="text-align: right;">69</p> <p>1 Q And you did it basically for about a year,</p> <p>2 right?</p> <p>3 A At Monroe County, yes.</p> <p>4 Q Have you gone back to corrections at all since</p> <p>5 then?</p> <p>6 A No, I have not.</p> <p>7 Q Why did you decide to leave?</p> <p>8 A Leave, like, corrections and law enforcement?</p> <p>9 Q Why did you decide to leave Monroe County?</p> <p>10 A Because I was able to have a better schedule at</p> <p>11 Volk Field and then -- mainly just a better</p> <p>12 schedule. Because I had a good schedule before</p> <p>13 I came to Monroe County. I knew I was going to</p> <p>14 be working a harder, or a little bit more</p> <p>15 demanding schedule at the jail, but it was</p> <p>16 something different and it was a little bit</p> <p>17 higher pay.</p> <p>18 Q Did you decide -- was part of your reasoning</p> <p>19 you decided you didn't want to work in</p> <p>20 corrections?</p> <p>21 A For the schedule?</p> <p>22 Q Your reason for leaving the jail?</p> <p>23 A Yeah.</p> <p>24 Q Go ahead.</p> <p>25 A Because after awhile too I realized, okay, I</p>	<p style="text-align: right;">71</p> <p>1 MR. WEIL: Mark?</p> <p>2 MR. HARDY: No questions. Thank you.</p> <p>3 MR. JONES: No questions for me.</p> <p>4 He'll read and sign.</p> <p>5 MR. WEIL: You're done. Thank you.</p> <p>6 (Deposition concluded at 12:25 p.m.)</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">70</p> <p>1 went to school for law enforcement. I went to</p> <p>2 police academy. I'm going to stay on the law</p> <p>3 enforcement route and continue on with that.</p> <p>4 Q Why did you decide you didn't want to do</p> <p>5 corrections as a law enforcement route?</p> <p>6 A Because I wanted to be more on the road side of</p> <p>7 things.</p> <p>8 Q Did you decide you didn't like working</p> <p>9 corrections or it wasn't for you?</p> <p>10 MR. JONES: Objection to form. Asked</p> <p>11 and answered. You can go ahead.</p> <p>12 A I didn't -- I thought I did a good job in</p> <p>13 corrections. I thought I was professional and</p> <p>14 respectful and, but, yeah, I just preferred to</p> <p>15 have a little bit more freedom versus doing the</p> <p>16 same time as everybody else, but being able to</p> <p>17 walk around.</p> <p>18 Q Was Ms. Boyer's event, did that have any impact</p> <p>19 on your decision to leave the Monroe County</p> <p>20 Jail?</p> <p>21 A No, it did not.</p> <p>22 MR. WEIL: Okay. That's all I have.</p> <p>23 Thank you, Mr. Moga.</p> <p>24 THE WITNESS: Thank you.</p> <p>25 MR. KNOTT: No questions.</p>	<p style="text-align: right;">72</p> <p>1 STATE OF WISCONSIN)</p> <p>2 : ss <u>CERTIFICATE</u></p> <p>3 COUNTY OF LACROSSE)</p> <p>4</p> <p>5 I hereby certify that I reported the</p> <p>6 deposition of KYLE MOGA on the 3rd day of</p> <p>7 November, 2023, in Sparta, Wisconsin, and that</p> <p>8 the witness was by me first duly sworn to tell</p> <p>9 the whole truth; that the testimony was</p> <p>10 transcribed under my direction and is a true</p> <p>11 and complete record, to the best of my ability,</p> <p>12 of the testimony of the witness;</p> <p>13</p> <p>14 That the cost of the original has been</p> <p>15 charged to the party who noticed the</p> <p>16 deposition, and that all parties who ordered</p> <p>17 such copies have been charged at the same rate</p> <p>18 for such copies;</p> <p>19</p> <p>20 That I am not a relative or employee or</p> <p>21 attorney or counsel of the parties or a</p> <p>22 relative or employee of such attorney or</p> <p>23 counsel; that I am not financially interested</p> <p>24 in the action and have no contract with the</p> <p>25 parties, attorneys or persons with an interest</p> <p>in the action that affects or has a substantial</p> <p>tendency to affect my impartiality.</p> <p>WITNESS MY HAND AND SEAL THIS 8TH DAY</p> <p>OF NOVEMBER, 2023.</p> <p>Nancy Johnson Registered Professional Reporter P.O. Box 21 La Crosse, Wisconsin, 54601-0021</p> <p>My Commission Expires July 15, 2025</p>

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